IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 908 of 2005

Between:

D. Rami Reddy, S/o. Sri Rama Reddy,
R/o. D.No. 3-16A-91/1, Postal Colony, Kakinada, East Godavari

District.

..... PETITIONER

AND

1 The Deputy Superintendent of Police, Kakinada, East Godavari

District.
2 The Circle Inspector of Police, L & O Town Circle, Kakinada, East

Godavari District.
3 Thatikonda Omkar, S/o. Chandramouli,
R/o. D.No. 48-14-3B, Madhuranagar, Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 1st and 2nd respondents in harassing the petitioner by calling to the Police Station and pressurizing the petitioner to transfer the land purchased by him under registered sale deed to the 3rd respondent as illegal, arbitrary and without jurisdiction and consequently direct the respondents 1 and 2 not to interfere with the civil dispute between the petitioner and the 3rd respondent, which is the subject matter of the civil suit in O.S.NO. 399/04 on the file of the Court of the II Addl. District Judge, Visakhapatnam.

Counsel for the Petitioner:MR.N.SIVA REDDY

Counsel for the Respondents No.1 and 2: GP FOR HOME

The Court at the stage of admission made the following ORDER:

Petitioner states that respondents 1 and 2 are pressurizing him to transfer Ac.1.00 of land in S.No.71/2 D2 of Thunglam village, Gajuwaka mandal, Visakhapatnam district to the third respondent. The petitioner claims to have purchased the said property through a sale deed dated 01.09.2004. He seeks appropriate directions in this regard.

Heard learned counsel for the petitioner and learned Government pleader for Home.

If what is stated by the petitioner is true, it constitutes a crime against the persons who are said to be attempting to pressurize the petitioner. The police authorities are not at all expected to interfere in civil matters, much less to pressurize anyone to do or refrain from doing any particular acts. The only occasion for them to proceed against a citizen would be in the event of receiving any complaint with specific allegations. This Court is not in a position, at this stage, to delve into the details of the mater. Suffice it to say that respondents 1 and 2 shall not be entitled to require the petitioner to attend the police station, much less to exert any pressure upon him to settle the disputes between himself and the third respondent.

The writ petition is accordingly disposed of. There shall be no order as to costs.

31.01.2005

ksld

To

1 The Deputy Superintendent of Police, Kakinada, East Godavari

District.

2 The Circle Inspector of Police, L & O Town Circle, Kakinada, East

Godavari District.

3 Two CCs. to the G.P. for Home, High Court of A.P.,

Hyderabad(OUT).

4 Two CD copies.